

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JON OLIVITO,

Plaintiff,

v.

PETER S. OLIVITO,

Defendant.

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Case No. 2:18-CV-123

JUDGE ALGENON L. MARBLEY

Magistrate Judge Jolson

ORDER

This matter comes before the Court on the Magistrate Judge's March 29, 2018 Report and Recommendation (ECF No. 8), which recommended that Plaintiff's claims be dismissed as frivolous.

The Report and Recommendation specifically advised the parties that the failure to object results in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. (ECF No. 8 at 5). The parties have failed to file any objections, and the deadline for objections (April 12, 2018) has lapsed.

The Court hereby **ADOPTS** the Report and Recommendation (ECF No. 8) based on the independent consideration of the analysis therein. Plaintiff's Complaint is hereby **DISMISSED**.

IT IS SO ORDERED.

s/ Algenon L. Marbley

ALGENON L. MARBLEY

UNITED STATES DISTRICT JUDGE

DATED: April 13, 2018